

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF FEBRUARY 4, 2000

Prepared on January 7, 2000

ITEM: 5

SUBJECT: Executive Officer's Report to the Board

Brief discussion of some items of interest to the Board follow. Upon request, staff can provide more detailed information about any particular item.

**REGULATION SUMMARY OF
OCT/NOV/DEC 1999**

[Corinne Huckaby 805/549-3504
and Maura Mahon 805/542-4642]

Orders

Reports of Waste Discharge Received	6
Requirements Pending	42
Inspections Made	43
Self-Monitoring Reports Reviewed	538*
Stormwater Reports Reviewed	22

*Tank unit data estimated.

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	2
Non-Chapter 15 WDR Program	9
Chapter 15 Program	0
CAOs Issued	0
ACL Complaints	0

WATER QUALITY CERTIFICATIONS

[Corinne Huckaby 805/549-3504]

Conditional Certification is recommended to the State Board Executive Director when a project may adversely impact surface water quality. Conditions allow the project to proceed under an Army Corps permit, while upholding water quality standards.

Staff recommends "Waiver of Certification" when the applicant proposes adequate mitigation. Measures included in the application must assure that beneficial uses will be protected, and water quality standards will be met.

Staff will recommend "No Action" when no discharge or adverse impacts are expected. Generally, a project must provide beneficial use and habitat enhancement for no action to be taken by the Regional Board.

A chart on the following page lists applications received through December 31, 1999.

WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED BETWEEN OCTOBER 23, 1999 AND DECEMBER 31, 1999

Date Received	Applicant	Project Description	Receiving Water	Action Taken
October 28, 1999	Tosco Corporation	Cholame Pipeline Replacement Along Highway 46	Wetlands	Inc. Appl. Letter Sent
November 1, 1999	Caltrans	Realign southbound lanes of Route 101 in San Benito County	Unnamed drainage to Elkhorn Slough	Pending
November 1, 1999	Santa Clara Valley Water District	Maintenance on East Little Llagas Creek	East Little Llagas Creek	Pending
November 1, 1999	Bureau of Land Management	El Toro Creek stabilization and road crossing project	El Toro Creek	Pending
November 3, 1999	Santa Ynez Band of Mission Indians	Reinforcing bank on Zanja de Cota Creek	Zanja de Cota Creek	Pending
November 12, 1999	McMillan Airfield	Camp Roberts upgrading and expanding existing runway and realigning road	Wetlands	Pending
November 16, 1999	Caltrans	Pinecate Rocks Realignment	Unnamed Drainage/wetlands	Pending
November 16, 1999	Sandstone Holding Corp.	Pipe culvert for driveway at Noyes Rd	Unnamed drainage	Inc. Appl. Letter Sent
November 18, 1999	Tosco Corp	Line 300 Pipeline Repair	Various waterbodies	Inc. Appl. Letter Sent.
November 29, 1999	Pajaro Valley Water Management Agency	Harkins Slough Recharge and Distribution Project	Harkins Slough	Pending
December 2, 1999	Simonsen and Associates	Point Sal Dunes Subdivision Project	Santa Maria River	Pending
December 24, 1999	Caltrans	Reinstall 2 culverts on Highway 236	Santa Lorenzo River	Pending

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LOW THREAT DISCHARGES

This section is for dischargers who have requested approval to discharge water that poses insignificant threat to water quality or for sites recommended for case closure (low risk sites where no further regulatory action is required). Consequently, we conditionally approved of these proposals. Conditions common to each approval are:

1. If you, the Regional Board, object to the proposal, an NPDES permit or waste discharge requirements will be prepared for the Board's consideration.
2. The discharger remains liable for any treatment system failure that results in significant discharge of pollutants.
3. We have a "low threat discharges" general permit for surface water discharges available, and the discharger may be required to file for coverage by that permit.

Site descriptions and specific conditions are listed below for each case.

Santa Maria Enterprises, Inc., Industrial Site Waste Pile, 610 W. Betteravia Rd., Santa Maria, Santa Barbara County [Lou Blanck 805/542-4626]

Santa Maria Enterprises, Inc., submitted a Report of Waste Discharge (ROWD) on December 8, 1999, to move approximately 100,000 cubic yards of oil-field waste material from where it could be eroded by urban runoff to a temporary wastepile at a higher elevation. Clean soil will be used to reconstruct the drainage crossing the site and will help isolate existing waste soil from urban runoff crossing the site.

Temporarily stockpiled waste soils will be placed over existing oil-field waste soils on a synthetic liner. The new waste pile will have a minimum five-foot separation above the highest anticipated ground water. A low-permeability cap will be placed over the wastepile and berms will be used to control runoff and erosion from the site. The waste pile will be clean closed within two years.

This discharge poses a limited threat to water quality and improves a pre-existing situation. Staff recommends a conditional waiver of waste discharge requirements.

CASE CLOSURES FOR ABOVE AND UNDERGROUND TANKS (UGT), AND SPILLS, LEAKS, INVESTIGATIONS AND CLEANUPS (SLIC)

This section is formatted to easily identify sites where staff is recommending case closure concurrence from the Board. Case closures generally fall into two categories - cases where cleanup goals have been met and cases where cleanup goals have not been met. In the first case, staff generally sends the responsible party a letter stating the case is now closed since cleanup objectives have been met and no further action is needed. Unless the Board objects, staff will continue to send closure letters and simply report these cases by way of the Executive Officer's report.

The second situation occurs where cleanup objectives are not yet met, but for various reasons, staff is recommending closure. These cases will be reported to the Board in more detail. For example, staff has discovered that some sites have a plume of contamination confined to a defined area. Ground water monitoring may show the plume is decreasing both in concentration and size, and does not threaten probable beneficial uses. Other specific circumstances may exist such as the plume may be confined to a shallow portion of the aquifer with no actual or expected uses of the groundwater. The reasons for staff recommending closure will be explained with each case.

We are presenting these closures in a manner similar to the way we present waivers of waste discharge requirements. That is, the case will be discussed and if the Board does not object to a case or wishes more information, the issue may be discussed at the Board meeting where we can provide clarification or the Board may reject our recommendation for closure.

Abbreviations commonly used for these cases:

TPH - Total Petroleum Hydrocarbons
TPHd - TPH measured in the carbon range of diesel
TPHg - TPH measured in the carbon range of gasoline
BTEX - Benzene, Toluene, Ethylbenzene, Xylene (components of gasoline)
MTBE - Methyl Tertiary Butyl Ether (gasoline oxygenate additive)
DCA or 1,2, DCA - dichloroethane (gasoline additive)
DCE - dichloroethylene (gasoline additive)
PCE -tetrachloroethylene or perchloroethylene (perc - a solvent)
TCE - trichloroethylene (a solvent)
TCA - trichloroethane (a solvent)

Cases Closed by Staff

Atascadero Fire Department; 6005 Lewis Avenue, Atascadero [Sheila Soderberg 805/549-3592]

From 1975 until 1987, this site contained a single, 500-gallon, unleaded-gasoline underground storage tank. In September 1987 during tank removal activities, gasoline-impacted soil was discovered beneath the removed tank. Based upon the presence of shallow ground water in the tank pit, four ground water monitoring wells were subsequently installed in 1988. Ground water monitoring was conducted between 1988 and 1997. In December 1992, approximately 300 cubic yards of soil were removed from beneath and adjacent to the former tank location. Confirmation soil sampling from the tank pit bottom and sidewalls indicated that most of the gasoline-impacted soil was removed. The tank pit was then backfilled with imported soil. The removed, petroleum-impacted soil was transported to the City of Atascadero sewer plant for aeration. Remediation of aerated soil was confirmed by sampling and laboratory analysis in May 1994.

The highest concentration of petroleum hydrocarbon constituents in ground water was detected in an interior well (AFD-3) located within the tank pit. In March 1991, maximum concentrations of TPHg, benzene, toluene, and total xylenes were detected at 83 ppb, 2.8 ppb, 16 ppb, 0.22 ppb, and 1.1 ppb, respectively. During the latest April 1997 ground water monitoring event, TPHg, benzene, toluene, ethylbenzene, and total xylenes were not detected in any monitoring

well. Methyl-tertiary-butyl-ether (MTBE) was not detected in MW-1 through MW-3. MTBE was detected in MW-4 at 1.4 ppb, which is below the water quality objective of 5 ppb for this constituent. Water quality objectives have been attained for all constituents. The four existing ground water monitoring wells were decommissioned on May 8, 1998. Based on the above information, staff closed this case. The City, as property owner, has been notified of case closure.

Underground Tank Cases Recommended for Closure

Coast Counties Trucking, 920 Elvee Drive, Salinas, Monterey County, [John Goni, (805) 542-4628]

Coast Counties Trucking has requested closure of a former underground storage tank site in Salinas. One gasoline underground storage tank was removed from this site in October of 1998. Subsequent ground water sampling confirmed MtBE was present under the former tank at a concentration of 13 ug/l. The water quality objective for MtBE is 5 ug/l, based on the secondary Maximum Contaminant Level (for taste and odor) established by the California Department of Health Services. Maximum Contaminant Levels are maximum concentrations of contaminants allowed in drinking water. A primary Maximum Contaminant Level of 13 ug/l (based on human health) is pending with the Department of Health Services. Staff concludes the presence of MtBE at 13 ug/l (the pending primary Maximum Contaminant Level) is not a significant threat to beneficial uses of ground waters. The area of contamination is limited to the area immediately under the former underground tank, and is limited to the perched or shallow ground water at a depth of 45 feet. The perched ground water is separated from first useable ground water (the "180 foot aquifer") by a continuous clay layer. MtBE is present, but does not exceed the human health standard of 13 ug/l. While the taste and odor limit is exceeded, use of ground water in the Salinas area will not be compromised as the contaminants are limited to the area immediately under the former tank and currently used water supply aquifers are protected by the clay layer. Staff is confident that by the time the affected water is used at this particular

site, objectives will be attained through attenuation. The property is owned by Coast Counties Trucking. Staff recommends closure for this case.

Chevron Service Station No. 9-2623, 6012 Scotts Valley Drive, Scotts Valley; Santa Cruz County,
[Bob Hurford, (805) 542-4776]

This site is an active gasoline service station. The station had three steel gasoline underground storage tanks in a common excavation and a steel waste oil tank in a separate excavation. The USTs, product islands, and associated product lines were replaced in November and December of 1990. The UST pits were over-excavated to a depth of 15 feet. Four monitoring wells were installed to a depth of 18 to 25½ feet below ground surface. The maximum concentration of total petroleum hydrocarbons as gasoline and benzene detected in ground water was 300 parts per billion (µg/L) and 27 µg/L respectively, reported in 1991. Benzene has attenuated to below 1 µg/L, and has been below water quality objectives for over one year. MTBE was detected in monitoring well C-3 at 7.3 µg/L during the 1999 sampling event and 3.4 µg/L during the 1998 sampling event. The upper-most water-bearing zone beneath the site is separated from the regional water supply aquifer by a claystone layer up to 200-feet thick. Depth to ground water has ranged from about 7.08 to 15.74 feet below ground surface. Ground water beneath the site appears to discharge to West Carbonera Creek, approximately 40 feet from the property boundary. The site does not appear to pose a significant threat to ground water quality or surface water quality. Based on the monitoring and sampling history, the current land use, and minimal threat to water quality, staff recommends closing this case. Chevron Products Company is the property owner and was notified of staff's recommendation to close the case.

Corrective Action Plan Approval

Ultramar, Inc., Beacon Station No. 556, 900 Morro Bay Blvd., Morro Bay, San Luis Obispo County

[Sheila Soderberg 805/542-3592]

On November 15, 1999, Board staff approved the Implementation Plan for Remediation (Plan) for Ultramar, Inc.'s service station located at 900 Morro Bay Boulevard, Morro Bay. The Plan

proposed implementation of a dual-phase extraction system initially on a bimonthly basis in monitoring well MW-1 to initiate removal of petroleum hydrocarbon contaminants in soil and ground water. Historically, persistent high concentrations of petroleum hydrocarbon

constituents are detected in MW-1 compared to the other three onsite wells. During underground storage tank removal activities in August 1992, approximately 700 cubic yards of contaminated soil were removed. Based on the results of vapor extraction and aquifer tests performed at the service station, dual-phase extraction should remove residual contamination remaining in the fine-grained soils. During remediation, quarterly progress reports will be provided to determine the system's effectiveness. In addition, the ground water monitoring program was changed from semiannual to quarterly to further evaluate the removal of petroleum hydrocarbon constituents remaining in ground water.

Underground Tank Removal Project

Ms. Ethyl Perry, Former San Miguel Exxon Station, 1010 K Street, San Miguel, San Luis Obispo County [Sheila Soderberg 805/549-3592]

B.P. Oil Company has agreed to fund an environmental project involving removal of a petroleum underground storage tank at an abandoned service station located at 1010 K Street, San Miguel. B.P. Oil proposes the project in lieu of penalties for failure to submit a quarterly monitoring report for a site in Monterey. Ms. Ethyl Perry, the San Miguel property owner, received a Notice of Violation from San Luis Obispo County Environmental Health Division on April 16, 1999, for not removing her two, inactive, underground storage tanks. Ms. Perry does not have the money to pay for the tank removal project. B.P. Oil's proposal is consistent with the State Board enforcement policy regarding supplemental environmental projects, in concept. There is a procedural nuance here in that B.P. Oil recognized its failure to monitor in compliance with requirements, and proactively proposed a supplemental environmental project without our having to take staff time to prepare a complaint. We see this as a positive outcome: less staff time required, and a contaminant source from another site will be removed. Unless the Board objects,

staff will work closely with Ms. Perry, B.P. Oil Company and San Luis Environmental County representatives to expedite the underground storage tank removal.

STATUS REPORTS

Buena Vista Mines, Inc., San Luis Obispo County Harold Biaggini and Buena Vista Mine Inc. Sentencing [Gerhardt Hubner 805/542-4647]

On December 7, 1999, in Federal District Court in downtown Los Angeles, Judge Keller convened a sentencing hearing for Harold Biaggini and his Buena Vista Mine Inc. Mr. Biaggini had previously plead guilty to one misdemeanor violation of the Clean Water Act. His Corporation, BVMI had also plead guilty to one felony violation of the Clean Water Act.

After two and half hours of argument by the Assistant U.S. Attorney and defense counsel, and lecturing by Judge Keller, the Judge handed down the following sentence:

To Mr. Biaggini:

- Six months house arrest
- Another year of supervised probation
- \$30,000 fine

To BVM Corporation:

- \$300,000 restitution, to be placed in an escrow account to fund future remediation activities

Both Mr. Biaggini and the Corporation:

- Compliance with Federal and State Laws, including the Clean Water Act at both Buena Vista and Klau Mines
- Obey all U.S. EPA and California State Environmental Authorities

This sentencing brings to a close one portion of years of effort by various state and federal agencies, through administrative, regulatory and criminal action to compel BVMI and its owner, Mr. Biaggini, to stop the pollution emanating from his mercury mines, the Buena Vista and Klau Mines, in northern San Luis Obispo County.

This sentence should send a message that continued willful non-compliance and disregard for environmental laws will not be tolerated. The Regional Board's mission is to protect water quality. Mr. Biaggini made millions of dollars from mercury mining but has done little to repair the grave damage he caused to water quality. The pollution from Mr. Biaggini's mines has sterilized

creeks near the mine, harmed neighbors by unsightly toxic discharges to the creeks, and polluted Nacimiento Reservoir, contributing to the posting of health warnings against the consumption of fish from the lake due to the level of mercury in the fish. Preventative and proactive measures by Mr. Biaggini could have been employed many years ago to reduce and remediate the pollution. However, Mr. Biaggini failed to take such measures. The Regional Board pursued enforcement actions in response to numerous and constant delays in cleanup by Mr. Biaggini. Hopefully, this sentence along with other pending enforcement actions by U.S. EPA will induce Mr. Biaggini to take responsibility for the pollution caused by his mines and to cooperate fully with environmental protection authorities. The Regional Board looks forward to Mr. Biaggini and BVMI complying with environmental law, as ordered by Judge Keller. The Regional Board will work with BVMI to reach mutually beneficial solutions, and a long-term resolution of water quality problems at these mines.

Duke Energy Power Plant, Moss Landing, Monterey County [Michael Thomas 805/542- 4623]

Regional Board staff met with Duke Energy staff regarding recent permit violations at the Moss Landing Power Plant. Duke Energy exceeded their discharge change in temperature limitation (delta T) limit on eight occasions in October and early November due to very high power demand, clogging of the intake screens by jellyfish, and other internal operational factors. The discharge delta T limit is 28 degrees F. It is important to realize that Duke Energy recently implemented a much-improved system for measuring and reporting temperature, which allowed them to detect the problem. At this time, the temperature exceedances appear minor (less than 2 degrees over the permitted limit). A review of the actual discharge temperatures reveals no temperature

spikes that could have caused acute aquatic impacts.

Duke Energy has taken steps to prevent such violations in the future with a new system to track and report temperature ranges over discreet time intervals (down to minutes). This new system allows Duke Energy to reduce power output when necessary to avoid permit violations.

Duke Energy also reported the occurrence of significant non-permitted discharges discovered through our new studies for the cooling water intake entrainment (Clean Water Act 316b) and discharge thermal effects (Clean Water Act 316a) work related to the power plant upgrade. Duke Energy discovered very high temperatures in Moss Landing Harbor near the cooling water intake structure. Apparently, the power plant operations staff periodically back-flushed the cooling water system in such a way as to cause significant discharges of heated water to Moss Landing Harbor. Such discharging is a non-permitted activity. Backflushing was done to clear the cooling water system of marine organisms. This practice has apparently been ongoing since the power plant began operation several decades ago. During September and October 1999, the receiving water temperatures measured in Moss landing Harbor during back-flushing episodes were up to 98 degrees F. The average duration of back flushing ranged from a few minutes up to 2 hours (with an average duration of about 45 minutes) at 133,000 gallons per minute. At an average of 45 minutes, that amounts to about 6 million gallons of discharge per episode, with a corresponding elevated temperature and organic matter content. There were at least eight back-flushing episodes in September, and 11 episodes in October. Duke Energy stopped all back flushing in November, and now only conduct manual cleaning of the cooling water system. The Executive Officer has required Duke Energy to submit a complete description of the backflushing practices by January 31, 2000. The Executive Officer will then decide if enforcement action is warranted. Staff is also working with Duke Energy staff at the Morro Bay Power Plant to ensure similar discharges are not occurring.

Former Casmalia Resources Hazardous Waste Landfill Site (Casmalia Site), Santa Barbara County [Dan Niles 805-549-3355]

The Casmalia Site, known as the Casmalia Resources Hazardous Waste Management Facility, was an active hazardous waste disposal facility from 1973 to 1989. The Casmalia Site is located in northern Santa Barbara County immediately north and east of Vandenberg Air Force Base, and approximately eight miles southwest of Santa Maria. Title to the Casmalia Site and surrounding land is listed as "Casmalia Resources;" the

corporation under which with site was operated during disposal operations.

The Regional Board regulated the facility from the start of disposal operations until the United States Environmental Protection Agency (U. S. EPA) took lead agency responsibility for the site in 1992, under an emergency response effort to stabilize deteriorating site conditions. Pre-existing Regional Board Orders remain in place, but in deference to U. S. EPA's Consent Decree, these Orders have not been implemented or enforced since U. S. EPA took over lead responsibility.

Regional Board staffs' current regulatory involvement at the Casmalia Site is under a State multi-agency team lead by the Department of Toxic Substances Control. Other involved agencies include the United States Fish and Wildlife Service, California Department of Toxic Substances Control, California Department of Fish and Game, and the County of Santa Barbara. Regional Board staff coordinate regulatory efforts at the site through an interagency agreement with the California Department of Toxic Substances Control. Regional Board staff oversight of the Casmalia Project is also funded through the interagency agreement on an annual basis. Regional Board staffs' interagency coordination on remedial efforts at the Casmalia Site is accomplished in a variety of ways including:

- written correspondence;
- technical meetings;
- field inspections;
- aerial surveillance;
- conference calls;
- participation in community workshops;
- technical review and discussion forums; and

- review and comment to technical reports and memorandums.

The Casmalia Steering Committee is currently implementing cleanup activities at the Casmalia Site under U. S. EPA's oversight. The Casmalia Steering Committee is a consortium of companies who previously contributed approximately 46 percent of total volume of waste to the site. Under a U. S. EPA Consent Decree, Civil Number 96-6518KWM, dated June 3, 1997, the Casmalia Steering Committee is responsible for certain remedial measures under Phase I and Phase II

work activities. Major Phase I and Phase II work elements include site maintenance, liquids management, capping of the landfills, performance of a Remedial Investigation/Feasibility Study as part of the final remedy, and groundwater monitoring.

The purpose of the current remedial efforts at the Casmalia Site is to contain wastes previously disposed at the site. Removing waste is currently considered infeasible because of the large quantity disposed (i.e., approximately 4.5 billion pounds). During active facility operations, liquid and solid wastes disposed at the site ranged from heavy metals such as arsenic, chromium, and nickel, to organic solvents such as trichloroethylene and acetone, pesticides, polychlorinated biphenyls (PCBs), petroleum hydrocarbon and oil field wastes, and minor quantities of miscellaneous wastes.

Historically, the site contained numerous surface waste disposal impoundments that were subsequently excavated under Regional Board orders and placed into four of six on-site landfills. Five of the six landfills exist today and these are the primary focus of recent remedial efforts including the installation of cover systems over the landfills. Most recently, a cap was constructed over the Pesticides/Solvents Landfill. The four remaining landfills will be capped as part of on-going remedial efforts. Groundwater contamination containment, identification of waste sources, and landfill leachate collection and control are also key long-term remedial action measures for the site. These on-going efforts are occurring under the U. S. EPA lead multi-agency coordination effort.

Some of the most recent items of interest regarding Casmalia project include:

- The adoption of a National Pollutant Discharge Elimination System (NPDES) permit at the November 19, 1999 Board meeting.
- Groundwater monitoring event
- Status of site ponds
- Progress on the construction of the Pesticides/Solvent Landfill Cap
- U. S. EPA's community workshop on December 14, 1999

NPDES Permit

On November 19, 1999, the Regional Board adopted an National Pollutant Discharge Elimination System (NPDES) permit for Casmalia Creek. The main purpose of the NPDES permit is to allow for a controlled and regulated discharge from five on-site water storage ponds. The five ponds consist of three storm water and two groundwater treatment plant effluent holding ponds. The NPDES permit provides a protective mechanism to avoid an uncontrolled release of water from the site in the event the ponds become full from accumulated storm water and treated groundwater. Only highly treated water can be discharged from the site. Inorganic and organic wastes from previous disposal activities at the Casmalia Site have been detected in the pond water. The pond waters also contain high total dissolved solids from evaporation and concentration of naturally occurring minerals and salts. Reverse osmosis and carbon filtration are the two proposed methods of treating pond waters prior to a discharge.

Under the current regulatory framework at the site, U. S. EPA is the lead agency for allowing a discharge from the site. Regional Board staff would be responsible for overseeing that the discharge complies with all NPDES permit requirements to protect the beneficial uses of Casmalia Creek.

Groundwater Monitoring

Groundwater was monitored most recently in November and December 1999. Monitoring

consists of collecting groundwater samples from monitoring wells for chemical analyses. Water level elevations are also measured from the wells to aid in establishing groundwater flow directions. The five on-site ponds were also sampling during this latest monitoring event. The purpose of sampling pond waters was to gather chemical and mineral water quality data. Information gathered during this latest monitoring event should be available to the agencies for review in February 2000.

Status of Site Ponds

The Casmalia Steering Committee has been successful in reducing pond water volumes through on-site uses such as dust control and construction. Lower water levels in the ponds allow for more capacity to collect rainfall runoff during the winter rain season. Based on available information, it appears the ponds have adequate storage capacity for this winter's season and an NPDES discharge will not be necessary to maintain pond water levels.

Recently, the Casmalia Steering Committee completed and submitted a berm stability analysis for one of the storm water ponds. The agencies have reviewed the study, commented on an area where a pond berm was sloughing, and requested the Casmalia Steering Committee to take steps to minimize further localized failure. The Casmalia Steering Committee has proposed some temporary stabilization measures which U. S. EPA will either approve or require additional/other stabilization measures.

Progress on the Construction of the Pesticides/Solvent Landfill Cap

Construction for the Pesticides/Solvent Landfill Cap has been completed according to the Casmalia Steering Committee. The Regional Board and Department of Toxic Substances Control have concerns that interim erosion controls were not adequately constructed to protect against damage to the vegetation layer from potential heavy rainfall. The vegetation layer is designed to provide long-term erosion control through the use of certain grasses once these grasses germinate and become established. However, short-term erosion controls are necessary while the vegetation layer

becomes properly established. Two main concerns with current interim erosion controls were uneven application and improper placement of soil amendment, and use of irrigation water from one of the on-site ponds that is high in salts. These two conditions delay the germination necessary to ensure optimal protection to the landfill cap system. To address these issues, Regional Board staff and the Department of Toxic Substances Control have been working with the U. S. EPA by providing recommendations on vegetation layer construction and the use of proper irrigation water.

U. S. EPA's community workshop on December 14, 1999

U. S. EPA conducted a public information workshop in Santa Maria as part of its on-going public outreach effort. Staff from this Regional Board and the Department of Toxic Substances Control attended the workshop as part of our on-going multi-agency coordination efforts. U. S. EPA provided information on the status of site construction, groundwater monitoring efforts, and addressed issues related to the presence of threatened and endangered species in the on-site ponds. Under State and Federal laws, threatened and endangered species require certain protections to ensure the populations will not be disturbed or damaged. One of the key aspects regarding these species in the ponds is that U. S. EPA plans to ultimately drain and clean the ponds. During this time the threatened and endangered species in the ponds will need to find new habitat to survive.

As part of a mitigation strategy when draining the ponds, U. S. EPA has indicated it plans to implement restoration measures for Casmalia Creek. Staff have indicated in previous Board updates and more recently, during the hearing to consider adoption of the NPDES permit, that the condition of Casmalia Creek is badly degraded as a result of poor land management practices related to cattle grazing. Restoring Casmalia Creek would help provide nearby viable habitat for on-site threatened and endangered species to migrate to while on-site cleanup efforts are ongoing for the ponds.

Staff are supportive of U. S. EPA's plans for restoration of Casmalia Creek and we will be working closely with U. S. EPA to accomplish this goal. Staff have written a letter of support for the

restoration of Casmalia Creek and requested that U. S. EPA provide a time frame for the implementation steps towards this end. Staff will be keeping the Board informed on the progress of restoration efforts.

Lastly, U. S. EPA also provided an update on their cost estimate for implementing remedial actions at the site under the Consent Decree. Recently, U. S. EPA revised their cost estimate from \$399 million in January 1999 to \$271.9 million in August 1999. The purpose of the cost estimate was for cash out settlements with approximately 750 small quantity waste generators who previously disposed their wastes at the Casmalia site. U. S. EPA explained that the reduction from the initial cost estimate resulted from new site information, application of alternative treatment systems for groundwater (i.e., the use of passive systems where possible), and the availability of an off-site discharge through the NPDES permit which would result in reduced on-site water management cost.

Y2K Follow-up – Water Quality Issues [Roger Briggs 805/549-3140]

You thought you had heard the last of Y2K. This item is simply to report that after all of the many different efforts by the State and Regional Boards to have the regulated community take Y2K readiness steps, we had no spills or violations reported as a result of Y2K problems. In fact, statewide, there were fewer such problems compared to a similar period last year.

Internally, we can thank our information technology staff, particularly our Richard Welch, for all the hard work with our Local Area Network and Wide Area Network, for a smooth, glitch-free transition into the New Year.

Executive Performance Review of Federal Workplans [Roger Briggs 805/549-3140]

This semi-annual meeting's purpose is to discuss Regional and State Board performance in satisfying workplan requirements of Federal Clean Water Act Sections 104, 106, and 319 grants. Following is a quick summary of the discussion among Executive Officers, State Board management and U.S. EPA on different programs that are partially funded through these sections of the Clean Water Act.

General

We discussed the ramifications on the overall NPDES program due to the Migden bill (SB 709) with minimum penalties for NPDES discharge violations. As this is law, it is an activity that moves to the top of the priority list within the NPDES program. We anticipate a significant increase in staff time needs to satisfy the letter of the law. Consequently, we will be spending less time in various other permit program areas. Workplan commitments will suffer to some unknown degree. We are trying to streamline this new process as much as possible, but it will still be a significant factor toward the end of this fiscal year, hitting full force at the start of next fiscal year.

Pretreatment

We are the only region that is on track (up-to-date) with our workplan commitment for Pretreatment Program inspections and audits. These are inspections by our staff of regulated facilities' pretreatment programs, procedures, and records (as opposed to the following category of regular discharge compliance inspections).

Discharger Inspections

We were recognized as doing "extremely well last fiscal year," with 95% of our major dischargers inspected and 91% of our minors inspected at least once. However, all organizations are behind the straightline rate in order to meet this year's commitments. This is a typical situation, with fewer inspections in July and August, but we will monitor our inspection schedule for the second half of the fiscal year.

Stormwater

In spite of some minor staff increases, this was mostly a discussion of what few aspects of the stormwater program we are focusing on, in light of the huge workload vs. our staffing level. We are following up with non-filers (those who are obligated to file for general permits but have not done so) and we are following up with those who are not meeting their monitoring requirements. We are also pursuing use of a data base to assist with review of the data from monitoring reports we have received. We are doing some inspections, based on sites that pose the greatest risk (e.g., large construction/soil disturbance projects in vulnerable areas).

NPDES Permits

For 98-99, we were a little behind the statewide average of 79% completion of major permit workplan commitments (we completed 67%), but we were way ahead of the average for minor permit completions (we completed 133% of our commitment). You may recall that USEPA and Cal/EPA have been very concerned about the statewide backlog of permits, particularly major permits, over the last few years (permits that are overdue for renewal). Actually, California is in much better shape than most other states. And we, in our region, are in much better shape than most other regions. At the start of last fiscal year, there were 17 major backlogged permits in the state. We had zero. We are on track this year for taking care of those majors that were delayed last year, plus meeting this fiscal year's commitment (with the exception of Diablo Canyon and Buena Vista Mines, Inc., both of which have extenuating circumstances). Specifically, we have completed 63% of our goal for all permits for this year, while the statewide average is 15%. This year we have already completed 100%, compared to the statewide average of 5%, of the major permits counted as backlogged from last year. For the minor permits, we have completed nearly twice the statewide average, although we are a little behind our own goal for the first third of the year.

TMDLs

These are Total Maximum Daily Load determinations for waters that are impaired. At the meeting, US EPA reviewed each region's progress. For our region, EPA merely thanked us for the good job we're doing of staying on track, as well as communicating well with EPA. I discussed a conflict we have regarding the San Lorenzo River Nutrient TMDL timing. We did have this TMDL scheduled for the March 2000 meeting in order to meet our April 2000 commitment. However, at the last Board meeting, the Board decided to switch the March and May meeting locations, so that the March meeting will now be south (San Luis Obispo) while May will be north. We should have the San Lorenzo TMDL at a northern meeting. US EPA's Alexis Strauss said we should take action in May. EPA will go ahead and approve our "technical TMDL" in April to cover the federal commitment, and then defer to our adopted TMDL in May.

Non-Point Source

The main discussion on this topic was optimism that the State's Non Point Source plan will be approved by the Coastal Commission at the upcoming meeting, after Coastal Commission Chair Sara Wan testified before the State Board during its consideration of the plan, encouraging State Board adoption.

Workplans

We discussed a change in workplan development schedules in order to better coordinate the core regulatory program with the Watershed Management Chapters that each region prepares as an overall framework of our efforts. We are all updating our chapters now (see other agenda item on this subject), and we will begin 2000-2001 individual program workplan development in March 2000.

Conclusion

Of course, we know there is always room for improvement and this meeting highlighted a couple of areas where we will need to make adjustments. But overall, this was a meeting that was a pleasure for me to attend due to the good work of our staff and the Board during the last year and a half.

Staff Changes and Training

Stacy McTeer joined the Investigation and Cleanup Branch in December 1999 as an Office Technician. Stacy transferred to us from the California Men's Colony, San Luis Obispo, where she worked for three and a half years providing administrative support to all academic and vocational supervisors. She also provided a multitude of administrative activities including inmate interviewing, hiring, timekeeping, disciplinaries, pay, and work reports. Prior to her work at the Men's Colony, she worked for nine years as a quality systems administrator and customer service representative for J.I.T. Manufacturing and Beckman Instruments in Paso Robles. She brings a wealth of administrative and customer service skills to our staff.

David M. Athey joined the Watershed Branch staff on December 16, 1999. David is a Water Resources Control Engineer and comes to us from the San Francisco Bay Regional Board. David is a

Cal Poly, San Luis Obispo, graduate with a Bachelor of Science degree in Environmental Engineering, 1995. As a student, he had work experience as a Sample Technician, and as an Engineering Intern with PGE, Diablo Canyon and with the California National Guard at Camp Roberts. Upon graduation, David worked as a landfill consultant in Roseville and Martinez, California. His recent assignments with the San Francisco Bay Regional Board included oversight of landfills and petroleum storage facilities in the Groundwater Protection Division. David is a licensed Professional Engineer, Civil. Initial Region 3 assignments will be to assist the Watershed Branch, primarily the Central Watershed Unit, with updating waste discharge requirements and NPDES Permits. In time, we hope David will phase into managing all regulatory activities in the Upper Salinas River Watershed. The move to the Central Coast is a move home, since both David and his wife were raised in northern San Luis Obispo County.

Mr. Bill Hoffman has accepted our offer for employment as an Environmental Specialist III, effective January 18, 2000. Bill is backfilling a position previously occupied by Katie Kropp (who transferred into the Watershed Assessment Unit). Bill's position is funded by US EPA grant monies and he will be working at the Morro Bay National Estuary office as the scientific director. Bill comes to us from the California Tahoe Conservancy where he worked as a Program Analyst for the last eleven years. Bill holds a Bachelor of Science degree in Forestry from Ohio State University and has completed graduate work in watershed management at Humboldt State University.

ATTACHMENTS

1. Underground Tanks Summary Report dated 1/5/00.